that one exists. *McMillan v. R. R. Co.*, 16 Mich. 79; *Navigation Co. v. Bank*, 6 How. 344. A notice can at the best only amount to a proposal for a special contract which requires the assent of the other party. *Hollister v. Nawlan*, 19 Wend. 234. But it is held that acceptance of a bill of lading as receipt constitutes an assent to the terms embodied in it; *Kirkland v. Dinsware*, 62 N. Y. 171; *Groce v. Adams*, 100 Mass. 505. But to have this effect the receipt or bill must be delivered before the transportation is entered upon by the carrier and while it is still in the power of the shipper to recall the goods. *Transportation Co. v. Furthman*, 149 Ill. 66; *Wilde v. Transportation Co.*, 47 Iowa, 247. If the shipper does nothing to mislead the carrier and the latter makes no inquiries, the shipper is not bound to state the character or value of the goods. *R. R. v. Fraloff*, 100 U. S. 24. But if the carrier has given general notice that he will not be liable unless the value is made known to him at the time of delivery, such notice, if brought home to the knowledge of the owner is as effectual in qualifying the acceptance of the goods as a special agreement. *Bank v. Brown*, 9 Wend. 85; *Philips v. Earle*, 8 Pick. 182. The effect of notices of this class is to do away with the necessity for a special inquiry in each case. *Batson v. Donovan*, 4 Barn. and Ald. 21.

CONSTITUTIONAL LAW—CLASSIFICATION OF CITIES—SPECIAL LEGISLATION.—SAMPLE V. PITTSBURG, 62 ATL. 201 (PA.).—*Held* that an act, providing that, where two cities are contiguous and in the same county, the smaller may be annexed to the larger, where the only two cities in the Commonwealth that are contiguous and in the same county are Pittsburg and Alleghany, is unconstitutional, since it is evident that the act was intended to legislate locally for them.

This case illustrates how far the courts will, in construing a statute, consider the motives behind legislation. It is a fundamental principle of constitutional law that the courts will not inquire into legislative motives except as they may be disclosed on the face of the acts or may be inferrable from their operation considered with reference to the condition of the country and existing legislation. *Hing v. Crowley*, 113 U. S. 703. But in this class of cases the courts hold that classification of cities must not be purely arbitrary and without reasonable necessity. Thus it was held that a classification into seven classes was unconstitutional in Pennsylvania but that a division into three classes, one of which included a single city, was reasonable. *Wheeler v. Phila.*, 77 Pa. 338. And an act applicable only to such cities as may adopt it is void. *Reading v. Savage*, 120 Pa. 198. Thus it is very often difficult to distinguish these cases. The following general principles have been generally recognized. Legislation must not be special or local and must relate to corporate municipal powers. *In re Washington Street*, 118 Pa. 192. If the classification is upon its face artificial or unnecessary the courts will declare it void. *Ayer's App.*, 122 Pa. 266.

COMMON CARRIERS—EMPLOYEES AS PASSENGERS.—SOUTHERN INDIANA RY. CO. V. MESSICK, 74 N. E. 1097 (IND.).—*Held*, that a servant employed by a railroad company and riding home after the day's work on a work train, is an employee, and not a passenger.

It has been held that a person, in the employ of a railroad, is a passenger when being carried to and from his work on a work-train *Gillenwater v. Ry. Co.*, 5 Ind. 339, 61 Am. Dec. 101. But the weight of authority has decided that where a person engaged in the construction or repair of a railroad, as a laborer working with a gravel train or a carpenter repairing a bridge, is carried to and from his work without charge and is injured in the course of transportation by the negligence of the carrier or his servants, such carrier will not be liable to the employee as a passenger. *Ryan v. Ry. Co.*, 23 Penn. St. 384; *Russel v. R. R. Co.*, 17 N. Y. 134; *Seaver v. R. R. Co.*, 14 Gray 466. An employee of a carrier of passengers while riding in connection with the performance of his duty is not a passenger. *Gillshannon v. R. R. Corp.*, 10 Cush. 228; *Vick v. R. R. Co.*, 95 N. Y. 267. But if the employee is travelling on his own business, though he pays no fare, he is a passenger. *R. R. Co. v. Muhling*, 30 Ill. 9; *P. & R. R. R. Co. v. Derby*, 14 Howard 468. If a reduction of wages is made on account of the transportation furnished the employee, he is is then considered a passenger. *O'Donnell v. R. R. Co.*, 59 Pa. St. 239.